State of New Jersey
Department of Environmental Protection

STREAM ENCROACHMENT ADMINISTRATIVE CHECKLIST

Revised: February 23, 2004 Website: www.state.nj.us/dep/landuse

A stream encroachment permit is required for most construction activities in floodplains and along streams. Examples of regulated activities include new buildings, roads, bridges, utility lines and stormwater discharges. Storing material, placing fill and clearing vegetation can also be regulated. Some minor activities are exempt.

To apply for a permit complete this checklist and send the material required below to the following address:

Postal Mailing Address:
NJDEP Land Use Regulation Program
P.O. Box 439
Trenton, NJ 08625

Street Address (For courier service and hand deliveries only):
NJDEP Land Use Regulation Program
501 East State Street, Station Plaza Five, Second Floor
Trenton, NJ 08609

CONTACT A STREAM ENCROACHMENT ENGINEER AT (609) 292-0060 IF YOU HAVE ANY QUESTIONS

PART A: The following is required for all projects:

- ☐ One completed copy of this checklist.
- ☐ One completed LURP-1 application form with original signatures (available from DEP website above).
- ☐ One check or money order for the project review fee payable to: *Treasurer, State of New Jersey* (see Part F).
- ☐ Two sets of location maps (USGS quad map is required; local tax, county soil and flood maps where available).
- ☐ Two sets of color photographs showing the entire project area (mounted on 8½" by 11" paper).
- ☐ Three copies of an environmental report (see Part E) unless the project involves only one single-family home.
- ☐ Six sets of individually-folded, signed and sealed construction plans, showing all proposed work. Provide soil erosion/sediment control plans, cross-sections and all relevant details. Elevations must reference 1929 NGVD.

PART B: The following is required for certain projects depending on your answers in Part C below:

- ☐ One copy of proof of local notice (see Part C question 6).
- ☐ One copy of a signed and sealed engineering report (see Part D).
- ☐ One copy of a hardship waiver request, if the project does not meet all regulations (see N.J.A.C. 7:13-4.8).

PART C: Please answer the following questions:

1. In most cases the extent of the floodplain must be known in order to issue a permit. Check one of the following:

   - ☐ Floodplain was taken from a State flood hazard area delineation (get State maps at (609) 292-2296).
   - ☐ Floodplain was taken from a tidal FEMA map that shows flood elevations (get FEMA maps at (800) 358-9616).
   - ☐ Floodplain was taken from a non-tidal FEMA map that shows flood elevations in a fully developed watershed.
   - ☐ Floodplain is unknown and calculations have been submitted to delineate it (see question 5).
   - ☐ Floodplain is unknown and does not need to be delineated for the project (explain why).

2. All streams have a buffer (measured from the top of the bank) within which vegetation is protected as follows:

   - ☐ 300 ft Along Category-One waters if stormwater management <u>does</u> apply under question 4 below
   - ☐ 50 ft Along Category-One waters if stormwater management <u>does not</u> apply under question 4 below
   - ☐ 50 ft Along trout-associated waters
   - ☐ 50 ft Along waters associated with threatened or endangered species
   - ☐ 50 ft Along waters where acid-producing soils will be exposed
   - ☐ 25 ft Along waters where none of the above apply

3. The placement of fill is restricted in a flood fringe and no obstruction is allowed in a floodway (check all that apply):

   - ☐ No fill is proposed within either the flood fringe or the floodway.
   - ☐ A negligible amount of fill is proposed within the floodway, which obviously does not obstruct flow.
   - ☐ A negligible amount of fill is proposed within the flood fringe, which obviously meets the rules by inspection.
   - ☐ Fill is proposed in the flood fringe, and net-fill calculations have been submitted to prove that the rules are met.

4. Stormwater management must be provided in certain cases (see www.njstormwater.org for more information):

   <u>Part 1:</u> Enter the total amount of land that will be disturbed on site: _____ ft^2/acres (circle one).

   If at least 1 acre (43,560 ft^2) of land will be disturbed on site, submit the following:
   - ☐ One completed Low Impact Design checklist (see Appendix I of BMP manual at www.njstormwater.org).
   - ☐ One set of calculations proving that the groundwater recharge standards at N.J.A.C. 7:8-5.4(a)2 are met.
   - ☐ One set of calculations proving that the runoff quantity standards at N.J.A.C. 7:8-5.4(a)3 are met (unless the site lies in tidal floodplain and it is clear that the runoff from the development will not increase downstream flooding).

   <u>Part 2:</u> Enter the total amount of impervious area proposed on site: _____ ft^2/acres (circle one). Include all proposed new impervious areas, as well as existing impervious areas from which stormwater currently sheet flows, but which will now be collected into a basin and/or storm sewer system.

   If at least ¼ acre (10,890 ft^2) of impervious area is proposed, submit <u>all</u> material in Part 1 <u>and</u> the following:
   - ☐ One set of calculations proving that the water quality standards at N.J.A.C. 7:8-5.5 are met.

5. Hydrologic and hydraulic calculations are generally required if any of the following occur (check all that apply):

- ☐ The peak 100-year flow in the stream will be significantly increased or decreased.
- ☐ The size, shape, skew, location and/or alignment of the stream channel will be altered.
- ☐ A new bridge or culvert will be constructed where none currently exists.
- ☐ A replacement bridge or culvert will be constructed that is different in size, shape, material, skew, bcation and/or alignment from the existing structure.
- ☐ The floodplain limits are unknown and need to be delineated in order to demonstrate compliance with the requirements of the rules, such as for net-fill calculations or determining lowest floor elevations.
- ☐ The floodplain limits are unknown and need to be delineated to establish stream encroachment lines.

6. Proof of local notice is required if any of the following occur (check all that apply):

- ☐ The project includes one or more major element under Part F.
- ☐ The project is adjacent to a trout-associated water.
- ☐ The project will expose acid-producing soils.
- ☐ The project involves a hardship waiver request under N.J.A.C. 7:13-4.8.

PART D: Engineering report: Must be signed and sealed by a NJ licensed PE. Detail all regulated activities on site and clearly explain how the submitted calculations demonstrate compliance with the rules. If any rule is not satisfied, detail the remedial or alternate techniques and measures that are proposed in compensation. Provide complete printouts (and electronic copies if possible) of all calculations. Check all that apply:

- ☐ Net-fill calculations (see Part C question 3). Explain the methodology used to demonstrate compliance. Include existing/proposed flood fringe volumes and depict all cross-sections at a horizontal scale of no less than 1"=10'.
- ☐ Stormwater management (see Part C question 4). Explain how each requirement is met. Include a hydrologic description of the site and watershed, details of all water quality measures and how TSS removal is achieved (including detention times for basins) and a comparison of existing and proposed recharge and discharge rates.
- ☐ Hydrologic and hydraulic calculations (see Part C question 5). Include any State or FEMA flood maps and profiles that were utilized (with site clearly marked to scale). If flow rates were determined for a stream, depict the contributory drainage area on USGS maps and provide a hydrologic description of the watershed.
- ☐ Stability analysis for any retaining wall that is over 4 ft high. Include both sliding and overturning analyses.

PART E: Environmental report: Address all proposed environmental impacts including, at minimum, the following:

- ☐ A complete description of the project, including justification for its size and location, an evaluation of all anticipated environmental impacts and proof that such impacts have been minimized.
- ☐ State plane coordinates of the site.
- ☐ A description of all anticipated access points along trout-associated waters and subsequent near-stream disturbance, as well as all in-channel soil erosion measures.
- ☐ Adverse effects of any stormwater management basins on the stream's biota and on mosquito breeding.
- ☐ An evaluation and mitigation plan if acid-producing soils will be exposed.
- ☐ An evaluation of whether threatened and endangered species will be impacted.
- ☐ The qualifications of the report's preparer and all relevant backup data that was used in its preparation.

PART F: The review fee for the project is $ _____ and was calculated as follows (indicate number of each):

Major elements ($4000 each)

____Review of net-fill calculations[1]
____Each new or replacement bridge or culvert[2]
____Each 1000 ft segment of stream delineated[2]
____Each stormwater basin located in a floodplain
____Each retaining wall >100 ft long and >4 ft high
____Each stream channel modification >100 ft long[3]
____Commercial development if >1 acre of site is located in a floodplain[4]
____Residential subdivision if site is >10 acres[4]

Major element ($2800)

____One bridge or culvert to access one single-family home if net-fill calculations are required[5]

Major element ($2000)

____One bridge or culvert to access one single-family home if net-fill calculations <u>are not</u> required[5]

Minor elements ($600 each)

____Each footbridge[6]
____Each utility crossing
____Each bridge deck replacement[6]
____Each pond dredging or stream cleaning[7]
____Each stormwater outfall structure[8]
____Each stream bank stabilization or protection[6]
____Each stream channel modification <100 ft long[3]
____Each retaining wall <100 ft long and/or <4 ft high
____Each new or replacement bridge or culvert[6]
____Use of State delineation (for net-fill calculations, encroachment lines, floor elevations, etc.)[1]
____One new single-family home, addition or appurtenant structure (garage, car-port, etc.)[5]
____Minor grading or other work not listed above provided calculations are not required[9]

Fee Calculation Footnotes:

1. No fee if associated with one new single-family home constructed apart from a larger residential subdivision.
2. Provided a review of hydrologic and/or hydraulic calculations is required.
3. No fee if associated with (and located within 300 ft of) a new bridge or culvert.
4. No fee if another major element is also proposed.
5. Must be associated with one new single-family home constructed apart from a larger residential subdivision.
6. Provided no review of hydrologic or hydraulic calculations is required.
7. No fee and different procedure if submitted under the Stream Cleaning Act. Contact DEP to see if you qualify.
8. No fee if associated with a new stormwater basin located in a floodplain.
9. Examples can include minor work in tidal floodplains, construction at grade, replacing broken structures, etc